

Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

*Your Committee on Appointments and Claims, to which was referred House Bill 1251, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 12-8-1-4.5 IS ADDED TO THE INDIANA CODE
- 3 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2003]: **Sec. 4.5. (a) As used in this section, "an employee who will**
- 5 **work with a vulnerable population" includes any of the following:**
- 6 **(1) A person who has a job description that includes contact**
- 7 **with, care of, or supervision over a person less than eighteen**
- 8 **(18) years of age.**
- 9 **(2) A person who has a job description that includes contact**
- 10 **with, care of, or supervision over an endangered adult (as**
- 11 **defined in IC 12-10-3-2), except the individual is not required**
- 12 **to meet the standard for being harmed or threatened to be**
- 13 **harmed set forth in IC 12-10-3-2(a)(3).**

(3) A person employed at a state institution managed by the office of the secretary of family and social services.

(b) The secretary shall ensure that:

(1) a limited criminal history background check; and

(2) a sex offender registry check;

is completed for a newly hired employee who will work with a vulnerable population before the employee commences employment. After the checks required by this subsection are completed, the office of the secretary may offer the person provisional employment, subject to a review of the completed national criminal history check under subsection (c) and a determination that the person is suitable to work with a vulnerable population.

(c) The secretary shall ensure that a national criminal history background check (as defined in IC 5-2-5-1) is requested from the state police department with respect to a newly hired employee who will work with a vulnerable population before the employee commences employment. The office of the secretary shall review the completed national criminal history check and determine the suitability of the person to work with a vulnerable population.

(d) A newly hired employee shall pay any fees for the background and sex offender registry checks required under this section.

SECTION 2. [EFFECTIVE JULY 1, 2003] (a) Before December 31, 2005, the office of the secretary of family and social services shall ensure that:

(1) a limited criminal history (as defined in IC 5-2-5-1) check; and

(2) a sex offender registry check;

is completed for any employee who will work with a vulnerable population (as defined in IC 12-8-1-4.5, as added by this act) and who was hired before July 1, 2003.

(b) The state police department may not charge a fee for responding to a request for the release of a limited criminal history record made by the office of the secretary of family and social services as part of a background investigation of an employee required by this SECTION. The state police department may grant electronic access to the office of the secretary of family and social

1 **services to perform a limited criminal history background check of**
2 **an employee required by this SECTION.**

3 **(c) This SECTION expires January 1, 2006.**

(Reference is to HB 1251 as introduced.)

and when so amended that said bill do pass.

Representative Harris